

Appl. No. 10/029,663
Am dt date August 13, 2003
Reply to Office action of January 15, 2003

REMARKS/ARGUMENTS

The Office action dated January 15, 2003 has been reviewed and the comments therein carefully considered. It is noted that objections are made to the drawings as submitted with the application. Applicant will submit replacement drawings in due course upon indication of allowance of claim.

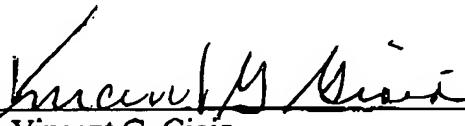
In the Office action, various issues and questions are presented regarding the description of the new variety. By the amendments as submitted in the accompanying Substitute Specification, Applicant has made a *bona fide* attempt to respond to each of the issues set forth in the Office action in accordance with the statutory requirement to provide a reasonably complete description.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are earnestly solicited. If any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


Vincent G. Gioia
Reg. No. 19,959
626/795-9900

VGG/llb

Enclosure

Substitute Specification (Marked-up Copy)
Substitute Specification (Clean Copy)
(accompanying Petition to Revive/Check)

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SUBSTITUTE SPECIFICATION
(Marked-up Copy)



CLEMATIS PLANT NAMED 'VANSO'

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OFFICE OF PETITIONS

CLASSIFICATION

The present invention relates to a new Clematis plant.

VARIETY DENOMINATION

The new plant has the varietal denomination 'VANSO'.

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BACKGROUND OF THE INVENTION

The present invention relates to a new Clematis plant having the varietal denomination 'VANSO'. 'VANSO' was discovered as a natural branch mutation of the variety 'MRS. CHALMONDELEY', not known to be patented.

SUMMARY OF THE INVENTION

The new variety is a Clematis plant with a climbing habit distinguished by production of fully double flowers. Asexual reproduction of the new variety as performed by softwood cuttings in Boskoop, the The Netherlands has confirmed that the distinguishing characteristics of the new variety are transmitted through succeeding generations and asexually reproduced plants of the new variety reproduce true-to-type.

25

COMPARISON WITH PARENT

The new variety differs from its parent, 'MRS. CHALMONDELEY', in producing flowers which are fully double; whereas flowers of the parent variety are single.

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BRIEF DESCRIPTION OF ILLUSTRATIONS

The accompanying illustrations depict ~~specimen flowers~~
5 plants of the new variety in color as true as possible in color photographic illustrations of this nature.

~~One figure FIG. 1~~ shows the plant of the new variety with a cluster of flowers; and

10 ~~The other figure FIG. 2~~ shows a close up of the flower of the new variety.

DETAILED DESCRIPTION OF THE NEW VARIETY

The following is a description of the new variety taken from 2-year-old plants grown out-of-doors in 5 liter containers in 15 Boskoop, ~~the~~ The Netherlands during the month of June. Color designations used herein are from ~~the~~ THE ROYAL HORTICULTURAL SOCIETY COLOR COLOUR CHART ("RHSC").

PLANT PLANT

20 The plant grows in a climbing habit and attains a height of slightly more than 2 M. with an average diameter of about 35 cm. and with vigorous growth.

FOLIAGE FOLIAGE

25 Size: About 5 cm. to 8 cm. long and up to about 4.8 cm. wide.

Quantity: About 6 leaves (3 pairs of opposite leaves) per about 15 cm. stem.

30 Leaf
Average length: About 15.3 cm.
Average width: About 9.3 cm.
Average length
of leaflets: About 5 to 8 cm.

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	<u>Average width</u>	
	<u>of leaflets:</u>	<u>About 2.7 to 4.8 cm.</u>
5	<u>Leaflet apex:</u>	<u>Apiculate</u>
	<u>Leaflet base:</u>	<u>Attenuate to acuminate</u>
	<u>Average petiole</u>	
	<u>length:</u>	<u>About 7.5 cm.</u>
	<u>Average petiole</u>	
10	<u>width:</u>	<u>About 2 mm.</u>
	Color	
	Immature foliage	
	Upper side:	Between 141A and 143A
	Underside:	Between 146A and 146B
15	Mature foliage	
	Upper side:	Near 137A
	Under side:	Between 137B and 137C
	Shape:	Trifoliolate - leaflets are ovate to narrow ovate
20	Texture	
	Upper side:	Smooth
	Under side:	Smooth
	Veination Venation:	Anastomosing
	Edge:	Smooth with no serration observed.
25	Petiole color	
	Top surface:	Near 166A
	Under side:	Between 143A and 141B
	Stipules:	No stipules observed
30	Auricles:	No auricles observed
	Rachis:	Smooth
	<u>STEM</u>	
	<u>Average length:</u>	<u>About 90 cm.</u>
35	<u>Average width:</u>	<u>About 3 mm.</u>

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	<u>Texture:</u>	<u>Smooth, slightly glossy</u>
	<u>Aspect:</u>	<u>Ribbed lengthways with an average</u>
5		<u>of 6 ribs</u>
	<u>Average internode</u>	
	<u>length:</u>	<u>About 12.6 cm.</u>
	<u>Color of young stem:</u>	<u>Near 143A to 143C to 144A</u>
10	<u>WOOD WOOD</u>	
	<u>Color:</u>	<u>Near 143A Color of new wood near</u>
		<u>143A and 143C to 144A; color of</u>
		<u>old wood near 175A to 175B</u>
15	<u>Bark:</u>	<u>Bark has short pale greyish hairs</u>
	<u>FLOWER FLOWER:</u>	<u>Not for use as a cut flower</u>
	<u>Color:</u>	<u>Clear blue double flowers</u>
	<u>Shape of buds:</u>	<u>Ovate</u>
20	<u>Average length of buds:</u>	<u>About 2.4 cm.</u>
	<u>Average width of buds:</u>	<u>About 1.4 cm.</u>
	<u>Color of buds:</u>	<u>Near 145A, with lighter axial</u>
		<u>stripes; near 145D</u>
25	<u>Average number of</u>	
	<u>flowers and buds</u>	
	<u>per plant per season:</u>	<u>7</u>
	<u>Flower shape:</u>	<u>Round</u>
	<u>Average flower</u>	
	<u>diameter:</u>	<u>About 16.1 cm.</u>
30	<u>Average flower depth:</u>	<u>About 6.7 cm.</u>
	<u>Fragrance:</u>	<u>Very faint, sweet</u>
	<u>Tepals</u>	
	<u>Average number:</u>	<u>6 (occasionally 7 or 8)</u>
	<u>Average length:</u>	<u>About 8 cm.</u>
35	<u>Average width:</u>	<u>About 4.9 cm.</u>

	<u>Shape:</u>	<u>Obovate</u>
	<u>Apex:</u>	<u>Mucronulate</u>
5	<u>Base:</u>	<u>Cuneate</u>
	<u>Margin:</u>	<u>Entire</u>
	<u>Color of tepal</u> <u>when young</u>	
10	<u>Upper side:</u>	<u>Violet-blue; near 92A, tip and central band near the tip near 71B to 71C</u>
	<u>Under side:</u>	<u>Violet-blue; near 90D, with a broad central band near 145C to 145D (with a slight touch of violet-blue)</u>
15	<u>Color of tepal</u> <u>when mature</u>	
	<u>Upper side:</u>	<u>Violet-blue; near 91B with a lighter center near 91D and a small blotch near 71C to 71D at the tip</u>
20	<u>Under side:</u>	<u>Violet-blue; near 91C; margins darker; near 91B and a broad central band near 145C to 145D</u>
25	<u>Petaloids:</u>	<u>The flowers have no sepals, only petaloids</u>
	<u>Average number:</u>	<u>About 325</u>
	<u>Average length:</u>	<u>About 4.2 cm.</u>
	<u>Average width:</u>	
30	<u>Outer</u> <u>(wider):</u>	<u>About 1.8 cm.</u>
	<u>Inner</u> <u>(Narrower):</u>	<u>About 4.5 mm.</u>

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	<u>Shape</u>	
	<u>Outer:</u>	<u>Obovate</u>
5	<u>Inner:</u>	<u>Linear</u>
	<u>Apex</u>	
	<u>Outer:</u>	<u>Rounded to praemorse</u>
	<u>Inner:</u>	<u>Acute</u>
	<u>Base:</u>	<u>Cuneate</u>
10	<u>Margin:</u>	<u>Entire</u>
	<u>Color when young</u>	
	<u>Upper side:</u>	<u>Outer petaloids violet-blue near 92A; tip violet near 86B; inner petaloids violet near 86B to 86C</u>
15	<u>Under side:</u>	<u>Outer petaloids violet-blue near 90D, with a broad central band near 145C to 145D; inner petaloids violet-blue near 91D</u>
	<u>Color when mature</u>	
	<u>Upper side:</u>	<u>Outer petaloids violet-blue near 91A with a lighter center near 91B to 91C; inner petaloids violet-blue near 92A</u>
20	<u>Under side:</u>	
25	<u>Under side:</u>	<u>Outer petaloids violet-blue near 91C to 91D, margins darker near 91B and a central blotch near 145D; inner petaloids violet-blue near 91D</u>
30	<u>Average flower</u>	
	<u>lastingness of</u>	
	<u>individual flower:</u>	<u>20 days</u>
	<u>Time to produce</u>	
	<u>a flowering plant:</u>	<u>12 months</u>
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Natural flowering

season: June to September in Boskoop,

5 The Netherlands

Flowers completely double; all reproductive organs transformed into petaloid. No pollen is formed, no stigmas present, no seed is produced.

10 WINTER HARDINESS
WINTER HARDINESS: Winter hardy in USDA Zone 5

RESISTANCE TO DISEASE

15 RESISTANCE TO DISEASE: Good, no No more susceptible to disease than its parent variety or other similar varieties.

20 BREEDING BREEDING: Asexual reproduction was started from softwood cuttings during the summer months in tunnels. Natural mutation was observed when one branch of the parent variety flowered with double flowers. This mutation branch was then propagated by softwood cuttings.

STAMENS, FILAMENTS & ANTERS

30 STAMENS, FILAMENTS & ANTERS
Arrangement: Flowers are completely double, so no stamens, styles, etc. are visibly present. No seed formation observed.

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**SUBSTITUTE SPECIFICATION
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I CLAIM:

A new Clematis plant of the variety substantially as shown
5 and described.

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SUBSTITUTE SPECIFICATION
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CLEMATIS PLANT NAMED 'VANSO'

5 ABSTRACT

Described as a new variety of Clematis which produces fully doubled flowers of attractive coloration.

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CLEMATIS PLANT NAMED 'VANSO'**LATIN NAME OF GENUS CLASSIFICATION**

The botanical classification of the present invention relates to a new Clematis plant is Clematis hybrid.

5 VARIETY DENOMINATION

The new plant has the varietal denomination 'VANSO'.

BACKGROUND OF THE INVENTION

The present invention relates to a new Clematis plant having the varietal denomination 'VANSO'. 'VANSO' was discovered 10 as a natural branch mutation of the variety 'MRS. CHALMONDELEY', not known to be patented.

SUMMARY OF THE INVENTION

The new variety is a Clematis plant with a climbing habit distinguished by production of fully double flowers. Asexual 15 reproduction of the new variety as performed by softwood cuttings in Boskoop, The Netherlands has confirmed that the distinguishing characteristics of the new variety are transmitted through succeeding generations and asexually reproduced plants of the new variety reproduce true-to-type.

20 COMPARISON WITH PARENT

The new variety differs from its parent, 'MRS. CHALMONDELEY', in producing flowers which are fully double; whereas flowers of the parent variety are single.

BRIEF DESCRIPTION OF ILLUSTRATIONS

25 The accompanying illustrations depict plants of the new variety in color as true as possible in color photographic illustrations of this nature.

FIG. 1 shows the plant of the new variety with a cluster of flowers; and

FIG. 2 shows a close up of the flower of the new variety.

DETAILED DESCRIPTION OF THE NEW VARIETY

5 The following is a description of the new variety taken from 2-year-old plants grown out-of-doors in 5 liter containers in Boskoop, The Netherlands during the month of June. Color designations used herein are from THE ROYAL HORTICULTURAL SOCIETY COLOUR CHART ("RHSC"). The age of the plants used for
10 the description is 2 years and were grown in 5 litre containers.

PLANT

The plant grows in a climbing habit and attains a height of slightly more than 2 M. with an average diameter of about 35 cm. and with vigorous growth.

15 FOLIAGE

Size: About 5 cm. to 8 cm. long, and up to about 4.8 cm. wide; diameter approximately 35 cm.

Quantity: About 6 leaves (3 pairs of opposite leaves) per about 15 cm. stem.

Leaf

Average length: About 15.3 cm.

Average width: About 9.3 cm.

25 Average length
 of leaflets:

About 5 to 8 cm; average about 6.2 cm.

Average width
of leaflets:

About 2.7 to 4.8 cm; average about 3.2 cm.

30

	Leaflet apex:	Apiculate
	Leaflet base:	Attenuate to acuminate
	Average petiole length:	About 7.5 cm.
5	Average petiole width:	About 2 mm.
	Color	
	Immature foliage	
	Upper side:	Between <u>R.H.S.-CC</u> 141A and 143A
10	Underside:	Between <u>R.H.S.-CC</u> 146A and 146B
	Mature foliage	
	Upper side:	Near 137A
	Under side:	Between <u>R.H.S.-CC</u> 137B and 137C
	Shape:	Trifoliolate - leaflets are ovate to narrow ovate
15	Texture	
	Upper side:	Smooth
	Under side:	Smooth
	Venation:	Anastomosing
20	Edge:	Smooth with no serration observed.
	Petiole color	
	Top surface:	Near 166A
	Under side:	Between <u>R.H.S.-CC</u> 143A and 141B
25	Stipules:	No stipples <u>stipules</u> observed
	Auricles:	No auricles observed
	Rachis:	Smooth
	STEM	
	Average length:	About 90 cm.
30	Average width:	About 3 mm.
	Texture:	Smooth, slightly glossy

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Aspect:	Ribbed lengthways with an average of 6 ribs
Average internode length:	About 12.6 cm.
5 Color of young stem:	Near <u>R.H.S.-CC</u> 143A to 143C to 144A

WOOD

Color:	Color of new wood <u>green to yellow</u> <u>green</u> - near <u>R.H.S.-CC</u> 143A and 143C to 144A; color of old wood <u>greyed-orange</u> - near <u>R.H.S.-CC</u> 175A to 175B
Bark:	Bark has short pale greyish hairs

15

FLOWER:	Not for use as a cut flower
Color:	Clear blue double flowers
Shape of buds:	Ovate

20 Average length of buds: About 2.4 cm.

Average width of buds: Abpt 1.4 cm.

Color of buds:	<u>Yellow-green</u> , <u>Nnear</u> <u>R.H.S.-CC</u> 145A, with lighter axial stripes, near <u>R.H.S.-CC</u> 145D.
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25 Average number of
flowers and buds
per plant per season:

7

Flower shape: RoundRotate

Average flower

30 diameter: About 16.1 cm.

Average flower depth: About 6.7 cm.

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	Fragrance:	Very faint, sweet
	Tepals	
	Average number:	6 (occasionally 7 or 8)
	Average length:	About 8 cm.
5	Average width:	About 4.9 cm.
	Shape:	Obovate
	Apex:	Mucronulate
	Base:	Cuneate
	Margin:	Entire
10	Color of tepal when young	
	Upper side:	Violet-blue; near <u>R.H.S.-CC</u> 92A, tip and central band near the tip near <u>R.H.S.-CC</u> 71B to 71C
15	Under side:	Violet-blue; near <u>R.H.S.-CC</u> 90D, with a broad central band near <u>R.H.S.-CC</u> 145C to 145D (with a slight touch of violet-blue)
20	Color of tepal when mature	
	Upper side:	Violet-blue; near <u>R.H.S.-CC</u> 91B with a lighter center near <u>R.H.S.-CC</u> 91D and a small blotch near <u>R.H.S.-CC</u> 71C to 71D at the tip
25	Under side:	Violet-blue; near <u>R.H.S.-CC</u> 91C; margins darker; near <u>R.H.S.-CC</u> 91B and a broad central band near <u>R.H.S.-CC</u> 145C to 145D
30	<u>Tepaloids</u> <u>Petaloids</u> :	The flowers have no sepals, only petaloids

	Average number:	About 325
	Average length:	About 4.2 cm.
	Average width:	
	Outer	
5	(wider):	About 1.8 cm.
	Inner	
	(Narrower):	About 4.5 mm.
	Shape	
	Outer:	Obovate
10	Inner:	Linear
	Apex	
	Outer:	Rounded to praemorse
	Inner:	Acute
	Base:	Cuneate
15	Margin:	Entire
	Color when young	
	Upper side:	Outer <u>tepaloids</u> <u>petalooids</u> violet-blue near <u>R.H.S.-CC</u> 92A; tip violet near <u>R.H.S.-CC</u> 86B; inner <u>tepaloids</u> <u>petalooids</u> violet near <u>R.H.S.-CC</u> 86B to 86C
20	Under side:	Outer <u>tepaloids</u> <u>petalooids</u> violet-blue near <u>R.H.S.-CC</u> 90D, with a broad central band near <u>R.H.S.-CC</u> 145C to 145D; inner <u>tepaloids</u> <u>petalooids</u> violet-blue near <u>R.H.S.-CC</u> 91D
	Color when mature	
30	Upper side:	Outer <u>tepaloids</u> <u>petalooids</u> violet-blue near <u>R.H.S.-CC</u> 91A with a

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	lighter center near <u>R.H.S.-CC</u> 91B to 91C; inner <u>tepaloidspetaleoids</u> violet-blue near <u>R.H.S.-CC</u> 92A
Under side:	Outer <u>tepaloidspetaleoids</u> violet-blue near <u>R.H.S.-CC</u> 91C to 91D, margins darker near <u>R.H.S.-CC</u> 91B and a central blotch near <u>R.H.S.-CC</u> 145D; inner <u>tepaloidspetaleoids</u> violet-blue near 91D
5	
10	Average flower lastingness of individual flower: 20 days
	Time to produce a flowering plant: 12 months
15	Natural flowering season: June to September in Boskoop, The Netherlands
20	Flowers completely double; all reproductive organs transformed into <u>tepaloidspetaleoid</u> . No pollen <u>areis</u> formed, <u>no anthers, no stigmas, or pistils</u> are present, <u>no fruits or seeds</u> <u>isare</u> produced.
25	WINTER HARDINESS: Winter hardy in USDA Zone 5
	RESISTANCE TO DISEASE: No more susceptible to disease than its parent variety or other similar varieties.
30	BREEDING: Asexual reproduction was started from softwood cuttings during the

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summer months in tunnels.
Natural mutation was observed when one branch of the parent variety flowered with double flowers. This mutation branch was then propagated by softwood cuttings.

STAMENS, FILAMENTS & ANTERS

10

Arrangement:

Flowers are completely double, so no stamens, styles, etc. are visibly present. No seed formation observed.

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I CLAIM:

A new Clematis plant of the variety substantially as shown and described.

CLEMATIS PLANT NAMED 'VANSO'

ABSTRACT

Described as a new variety of Clematis which produces fully
5 doubled flowers of attractive coloration.